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SUBJECT: APRIL 12 SESSION OF GRANVILLE/ABBAS MURDER TRIAL

¶1. (SBU) SUMMARY: On April 12, 2009, five U.S. Embassy Foreign Service National (FSN) employees from the Regional Security Office, Political/Economic and Public Affairs sections attended the trial of five Sudanese men accused in the January 1, 2008 murders of USAID Officer John Granville and FSN driver Abdelrahman Abbas. The defense called two witnesses to testify during this session. Although both presented lengthy testimony, neither provided information that strengthened the defense arguments. The first was a bank clerk at Omdurman National Bank whose testimony focused on the direct deposit of a Sudan Armed Forces (SAF) salary to the third defendant, Muhanned Osman Mohamed. If the defense's intent was to show that Mohamed was employed by SAF during the January 1, 2008 murder, then this witness hurt their case because he testified that the last SAF deposit to Mohamed's account was his October 2007 salary.

¶2. (SBU) The second witness was a captain employed by the Sudanese Military Industrial Corporation who would refused to testify in open court. Only the defendants, their attorney, and the prosecution panel were allowed to hear his testimony. According to a summary provided to USAID, the second witness spent the entire session presenting a detailed overview of weapon types and methods of ballistic examination, in order to establish his credibility as a weapons expert. According to information gathered later by the FSN trial observers, the court session was adjourned before he had an opportunity to testify specifically about the evidence presented by the prosecution in this case. The next session is scheduled for April 13. END SUMMARY.

¶3. (U) The trial of the five Sudanese men accused of the January 1, 2008 terrorist murders of USAID Officer John Granville and FSN driver Abdelrahman Abbas continued on April 12, 2009. The prosecution was represented by Chair Mohamed Mustafa Musa, Juma Al Wakul Al-Asir, Granville family attorney Taha Ibrahim, and Abbas family attorney Ismail Abu Sugra. Deputy Chair Adil Abdelgahani, Ahmed Abu Agla, and Jamal Altahir represented the defense.

¶4. (U) As their first witness for this session, the defense called Osman Elimam al-Awad Mohammed, a 34 year-old bank clerk who has been employed by the Omdurman National Bank's Sudan Armed Forces (SAF) Headquarters branch since June 1995. The bank clerk's testimony centered on the means by which SAF officers receive their salary and procedures for opening and closing their bank accounts. The bank clerk confirmed that the third defendant, Muhanned Osman Mohamed, held an account at the bank and received a SAF direct deposit from July to October 2007. His last transaction was an ATM withdrawal on December 2, 2007.

¶5. (U) When cross-examined by the prosecution, the bank clerk confirmed he did not know if there were discrepancies or errors in SAF's payroll system, but opined that nothing on the bank transaction record appeared suspicious to him. He added that d he did not believe there were any discrepancies with this account.

¶6. (U) The second witness called to testify was Mohammed Abdelgader Abdorabo, a 31 year-old captain employed in the Engineering Department at the Sudanese Military Industrial Corporation. When called to the stand, the witness informed the judge that he would not testify in open court. Judge al-Badri ordered that the courtroom be cleared with the exception of the attorneys and the defendants' and victims' family members. Everyone left, including the Embassy trial observers, and waited outside in the courthouse lobby. After approximately two minutes, the defendants' and witnesses' family members were observed leaving the courtroom. Later they were overheard telling supporters that the judge subsequently decided they must leave as well. The en-camera session lasted approximately 2 1/2 hours.

¶7. (U) USAID obtained an Arabic summary of the witness' testimony. FSN trial observers reviewed the summary and noted that the second witness did not provide any specific testimony related to this case. As one trial observer noted, "this is a history of the weapons industry and ballistic examination procedures, but has nothing to do with the ballistic evidence presented in this case nor does it contradict the CID ballistics examiner's testimony." FSN trial observers later learned that the witness spent the entire session establishing his credibility as a weapons expert, and that the court was adjourned before the witness was given an opportunity to testify about this specific case.

¶8. (U) The trial is scheduled to resume on April 13.

FERNANDEZ